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PCT LEGAL ADMINISTRATION

In re Application of: LI, Hui, et al.	:	
U.S. Application No.: 10/519,574	:	
PCT No.: PCT/EP2003/006558	:	DECISION ON PETITION
International Filing Date: 21 June 2003	:	
Priority Date: 04 July 2002	:	
Attorney's Docket No.: PD020062	:	
For: METHOD AND DEVICE FOR	:	
LINKING MULTIMEDIA DATA	:	

This decision is issued in response to the "Petition Under 37 C.F.R. 1.181(a) To Withdraw Holding Of Abandonment" filed 14 November 2005. No petition fee is required.

BACKGROUND

On 21 June 2003, applicants filed international application PCT/EP2003/006558. The international application claimed a priority date of 04 July 2002, and it designated the United States. On 15 January 2004, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 04 January 2005.

On 29 December 2004, applicants filed a Transmittal Letter (Form PTO-1390) requesting entry into the national stage in the United States, accompanied by additional application materials. The Form PTO-1390 contained the express authorization for the USPTO to charge Deposit Account No. 07-0832 \$1,040 in fees, itemized as follows: basic national fee (\$300), examination fee (\$200), search fee (\$500), and assignment recordation fee (\$40). The Form PTO 1390 also contained the general authorization to charge the Deposit Account for any additional fees required.

On 02 November 2005, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Abandonment (Form PCT/DO/EO/909) stating that the application was abandoned based on applicants' failure to pay the full basic national fee prior to the expiration of thirty months from the priority date.

On 14 November 2005, applicants filed the "Petition Under 37 C.F.R. 1.181(a) To Withdraw Holding Of Abandonment" considered herein. The petition asserts that the proper authorization to charge Deposit Account 07-0832 for all required fees, including the basic

national fee, was timely filed prior to the expiration of the thirty-month deadline and that the holding of abandonment should therefore be withdrawn.

DISCUSSION

A review of the present application file confirms that applicants' 29 December 2004 submission included the express authorization for the USPTO to charge Deposit Account No. 07-0832 for the required basic national fee, as well as for any additional fees required. This authorization was filed in the USPTO prior to the expiration of thirty months from the priority date, and the file does not include any indication that any attempt by the USPTO to charge the Deposit Account the required fees was denied for lack of sufficient funds.

In view of the above, the authorization to charge Deposit Account No. 07-0832 for the required basic national fee filed on 29 December 2004 is accepted as payment of the basic national fee prior to the expiration of thirty month from the priority date. The holding of abandonment, based as it was on applicants' purported failure to pay the basic national fee prior to the expiration of thirty months from the priority date, is appropriately withdrawn, as requested in the present petition.

CONCLUSION

The petition to withdraw the holding of abandonment under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 02 November 2005 is hereby **VACATED**.

This application is being returned to the National Stage Processing Branch of the Office of PCT operations for further processing in accordance with this decision.

/RichardMRoss/

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